

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of BABY BOY COLLINS, Minor.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

DANYELLE PATRICE COLLINS,

Respondent-Appellant.

UNPUBLISHED

May 1, 2007

No. 273802

Ingham Circuit Court

Family Division

LC No. 00-065983-NA

Before: Meter, P.J., and Kelly and Fort Hood, JJ.

MEMORANDUM.

Respondent appeals as of right from the trial court order terminating her parental rights under MCL 712A.19b(3)(g), (i), and (j). We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

Because respondent was likely to medically neglect her son and because of her mental health issues, the trial court did not clearly err in finding that sections (g) and (j) were established by clear and convincing evidence. *In re Trejo*, 462 Mich 341, 357; 612 NW2d 407 (2000). Respondent showed a high potential for medical neglect where she exhibited an unwillingness to care for her own medical and mental health needs and where she refused to provide medical personnel with her son's basic medical history, including his birth date, when she took him to the hospital. Respondent's mental health caused her to be unable to provide proper care and custody for her son at the time of the termination trial and at any time in the future and also caused a reasonable likelihood that her child would be harmed if returned to her. Respondent was diagnosed with paranoid schizophrenia and clearly had anger issues. Her behavior during all aspects of the case was bizarre, and she did not attend therapy as ordered by the trial court. The psychological evaluation showed a major mental illness, which affected her ability to parent, and concluded that allowing respondent to parent would place her child at great risk.

Respondent argues that her case is similar to *In re Newman*, 189 Mich App 61; 472 NW2d 38 (1991), and that petitioner did not provide adequate resources in the face of her mental health issues. However, in *Newman*, the respondent parents were very cooperative with foster care workers and showed progress. *Id.*, 67-68. Respondent, however, was not cooperative with her foster care worker and did not participate in services offered to her, with the exception of the parenting class and psychological evaluation. Petitioner could have offered a panacea of

referrals, and the outcome would not have differed where the foster care worker could not even contact respondent due to respondent's refusal to provide her telephone number.

The trial court also did not clearly err in finding that respondent's parental rights to a sibling were terminated due to serious and chronic neglect or physical or sexual abuse and prior attempts to rehabilitate respondent were unsuccessful. There was testimony that respondent's parental rights to her daughter were terminated in Louisiana due to medical and physical neglect and that Louisiana authorities attempted to rehabilitate respondent before terminating her parental rights, but could not. Therefore, the trial court did not clearly err in finding that section (i) was established by clear and convincing evidence. *Trejo, supra*.

The trial court also did not clearly err in its best interests determination where respondent did not contact the foster care worker about visiting her son until after a petition to terminate her parental rights was filed and where respondent's mental health issues put her child in danger.

Affirmed.

/s/ Patrick M. Meter
/s/ Kirsten Frank Kelly
/s/ Karen M. Fort Hood